

CITY ATTORNEY

Department Purpose and Description

In accordance with the City Charter, the City Attorney is appointed by the City Council to act as the City's general counsel. As the City's general counsel, the City Attorney provides a full range of legal services to the City and is the chief legal advisor to the City Council, City Manager, Redevelopment Agency, City departments, and all appointed boards and commissions. While performing its duties as the City's chief legal advisor, the City Attorney's Office, among other things, manages all outside counsel, reviews and negotiates City and Redevelopment Agency agreements, proffers advice on labor and employment issues, helps draft and review legislation, litigates civil cases, and prosecutes a limited number of Municipal Code violations. To accomplish these matters, the City Attorney has a current staff of seven lawyers, four administrative support staff and one contract attorney.

The Office's responsibilities revolve around seven specialized areas of practice in which attorneys provide legal counsel as well as representation in litigation at all levels of state and federal courts and administrative agencies.

Contracts

Handles legal services at all stages of contract formulation, implementation and enforcement, including negotiation, drafting, administration and litigation. The City Attorney develops and maintains standardized City contracts and participates as counsel in complex transactions such as capital projects for multi-million dollar construction, developers agreements, and site licenses for wireless telecommunication providers.

Land Use

Handles counsel on zoning, planning, growth management, code enforcement, state environmental policy, low-income housing development, preservation of historic properties, and acquisition of public property for open space, parks, and other public facilities.

Redevelopment and Real Estate

Provides legal support to the City Council, City Manager, Redevelopment Agency and various City departments in connection with a wide range of redevelopment and real estate issues. Common issues in this area of practice include property acquisition and disposition, disposition and development agreements, public improvements, design-build agreements, franchises, affordable housing transactions, long-term energy policies, and redevelopment plan administration.

Employment/Labor

With over 1,000 City employees, including many union members, the personnel and labor issues facing the City are complex and diverse. In conjunction with the City's Human

Resources Department, the City Attorney is responsible for personnel policy development and labor relations matters, including civil service and arbitration proceedings.

Municipal Law

Handles legal advice on diverse areas of local government law such as municipal finance and budgeting, taxation, legislation drafting and Municipal Code supervision, public disclosure and inter/intra-governmental relations.

Torts

Primarily engaged in litigation, defending the City in personal injury and property damage cases, which span the spectrum from minor matters to multi-million dollar lawsuits. The City Attorney works closely with the Risk Management's claim management team, which handles administrative claims against the City.

Code Enforcement

Involves enforcing the City Code provisions relating to building codes, zoning, neighborhood preservation and vehicles on private property. Violations are addressed by employing the various enforcement tools available to the City: administrative actions, civil actions and/or criminal prosecution. The City Attorney provides further assistance by litigating the abatement, securing and/or demolition of substandard properties.

Major Accomplishments for Fiscal Year 2005

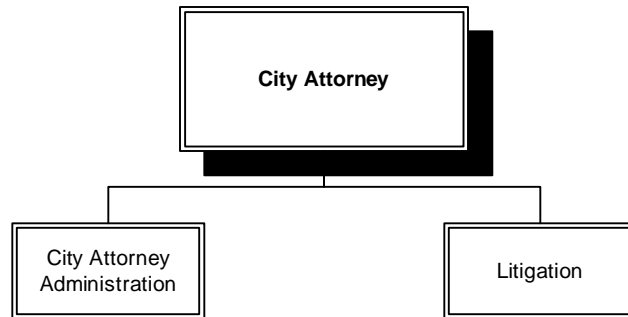
During fiscal year 2005, the City Attorney's Office advised the City Council and staff on a number of important issues affecting the City. Issues of note include: The updating of the City's General Plan; development of the Mid-Bayfront; creation of an Urban Core Specific Plan; preserving compliance with growth management thresholds; the City's Higher Education Recruitment Strategy; and gas and electric franchise agreement negotiations.

Major Goals and Challenges for Fiscal Years 2006 and 2007

The Office will continue to respond to the ever-increasing requests for legal support from the operating departments and to answer the expected expanding litigation caseload. Larger projects which are expected to continue or conclude in fiscal year 2006 include: master planning of the Mid-Bayfront; creation of the Urban Development Group; development of the University Park and Research Center; and energy utility-related issues such as the undergrounding of overhead lines and Community Choice Aggregation.

CITY ATTORNEY

ORGANIZATION CHART



CITY ATTORNEY 04000

EXPENDITURES

| | FY 2004 ACTUAL | FY 2005 AMENDED | FY 2006 ADOPTED | FY 2007 ADOPTED |
|---------------------------|--------------------|--------------------|--------------------|--------------------|
| Personnel Services | 1,630,679 | 1,856,399 | 2,226,196 | 2,290,461 |
| Supplies and Services | 440,422 | 321,577 | 333,749 | 309,149 |
| EXPENDITURE TOTALS | \$2,071,101 | \$2,177,976 | \$2,559,945 | \$2,599,610 |

Expenditures by Division

| DIVISION | FY 2004 ACTUAL | FY 2005 AMENDED | FY 2006 ADOPTED | FY 2007 ADOPTED |
|-----------------------------|--------------------|--------------------|--------------------|--------------------|
| 04100 Administration | 1,406,188 | 1,430,736 | 1,774,304 | 1,793,728 |
| 04300 Litigation | 664,913 | 747,240 | 785,641 | 805,882 |
| EXPENDITURE TOTALS | \$2,071,101 | \$2,177,976 | \$2,559,945 | \$2,599,610 |

REVENUES

| | FY 2004 ACTUAL | FY 2005 PROJECTED | FY 2006 ESTIMATED | FY 2007 ESTIMATED |
|-----------------------|-------------------|----------------------|----------------------|----------------------|
| Charges for Services | 298,162 | 381,083 | 381,083 | 392,515 |
| Other Revenue | 438,172 | 535,346 | 543,466 | 559,770 |
| Transfers In | 14,559 | 15,723 | 7,694 | 7,925 |
| REVENUE TOTALS | \$750,893 | \$932,152 | \$932,243 | \$960,210 |

CITY ATTORNEY

AUTHORIZED POSITIONS

| | FY 2001 | FY 2002 | FY2003 | FY 2004 | FY2005 | FY2006 | FY2007 |
|-------------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| City Attorney | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| Senior Assistant City Attorney | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| Assistant City Attorney | 2 | 2 | 2 | 2 | 2 | 2 | 2 |
| Deputy City Attorney I/II | 3 | 1 | 1 | 1 | 1 | 2 | 2 |
| Deputy City Attorney III | 0 | 2 | 2 | 3 | 3 | 3 | 3 |
| Executive Secretary | 0 | 1 | 1 | 1 | 1 | 1 | 1 |
| Legal Assistant | 3 | 2 | 2 | 2 | 2 | 3 | 3 |
| Senior Legal Assistant | 0 | 1 | 1 | 1 | 1 | 1 | 1 |
| <i>Total Permanent FTE's</i> | 10 | 11 | 11 | 12 | 12 | 14 | 14 |

CITY ATTORNEY

MISSION STATEMENT • GOALS • OBJECTIVES AND MEASURES

MISSION STATEMENT: Provide legal advice and support to the Mayor and Council, City departments, and boards and commissions in the conduct of City business; represent the City before judicial and administrative agencies in civil litigation proceedings and prosecute misdemeanor violations of the Chula Vista Municipal Code.

GOAL: Prepare ordinances, resolutions, agreements, contracts and other legal instruments.

Objective: *Produce legal documents in a timely and efficient manner.*

| Annual Measure | FY03 ACT. | FY04 ACT. | FY05 ACT. | FY06 PROJ. | FY07 PROJ. |
|------------------------------------|-----------|-----------|-----------|------------|------------|
| Number of resolutions | 564 | 421 | 460 | 475 | 500 |
| Number of ordinances | 56 | 44 | 30 | 35 | 40 |
| Number Council approved agreements | 195 | 160 | 180 | 180 | 210 |

GOAL: Provide litigation support before judicial and administrative bodies.

Objective: *Provide legal representation for the City as plaintiff or defendant.*

| Annual Measure | FY03 ACT. | FY04 ACT. | FY05 ACT. | FY06 PROJ. | FY07 PROJ. |
|----------------------------|-----------|-----------|-----------|------------|------------|
| Number of litigation cases | 51 | 45 | 50 | 55 | 57 |